

Steven M. Rogers (13854)
Nicholas R. Russell (15018)
Rogers & Russell, PLLC
170 S. Main Street
Pleasant Grove, UT 84062
(801) 899-6064 phone
(801) 210-5388 fax
paralegal@roruss.com
Attorneys for Debtor(s)

| UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH | |
|---|---|
| In Re: CHAD EDWARD COOK MELISSA JEAN COOK Debtor(s). | Case No.: 23-25154 Chapter 13 Hon. PEGGY HUNT |
| NOTICE OF PRECONFIRMATION MODIFICATION TO CHAPTER 13 PLAN | |

PLEASE TAKE NOTICE that Debtor(s) filed with the United States Bankruptcy Court for the District of Utah a request to modify the previously filed Chapter 13 Plan under 11 U.S.C. § 1323. The Debtor(s) moves the Court for confirmation of the Plan as modified without further notice and hearing.

1. In support thereof, Debtor represents as follows:

| | |
|---------------|---|
| Plan Part No. | <u>PREVIOUSLY FILED PLAN PROVISION</u> |
| 2.1 | Debtor(s) will make regular payments to the trustee as follows: \$1800.00 per Month for <u>1</u> months \$950.00 per Month for <u>59</u> months |
| | <u>PLAN AS MODIFIED</u> |
| 2.1 | Debtor(s) will make regular payments to the trustee as follows: \$1800.00 per Month for <u>1</u> months \$950.00 per Month for <u>5</u> months \$1,150.00 per Month for <u>54</u> months |

2. The modification does not otherwise materially impact other secured, priority, or nonpriority unsecured creditors. The proposed plan, with the modification, satisfies the requirements of Section 1322 and 1325 of the Bankruptcy Code.
3. Under § 1323(c), any holder of a secured claim that has accepted or rejected, as the case may be, the prior plan is deemed to have accepted or rejected the plan as modified, unless the modification provides for a change in the rights of such holder from what such rights were under the plan before modification, and changes such holder's previous acceptance or rejection.

THEREFORE, because the modification does not require notice to creditors, Debtor requests the Bankruptcy Court to confirm the plan as modified without further notice or hearing.

Dated: 5/20/2024

/s/

Steven M. Rogers
Attorney for Debtor(s)

CERTIFICATE OF SERVICE – BY NOTICE OF ELECTRONIC FILING (CM/ECF)

I hereby certify that on **May 20, 2024** I electronically filed the foregoing Motion to Modify Plan Pre-Confirmation with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users and will be served through the CM/ECF system.

- **Lon Jenkins tr** ecfmail@ch13ut.org, lneebling@ch13ut.org
- **Steven M. Rogers** srogers@roruss.com, nrussell@roruss.com;rorusslaw@gmail.com;paralegal@roruss.com;r47264@notify.bestcase.com;bwhiting@roruss.com
- **Nicholas R. Russell** nrussell@roruss.com, paralegal@roruss.com;rorusslaw@gmail.com;srogers@roruss.com;bwhiting@roruss.com;r47264@notify.bestcase.com
- **United States Trustee** USTPRegion19.SK.ECF@usdoj.gov
- **Aaron M. Waite** aaronmwaite@agutah.gov

CERTIFICATE OF SERVICE – MAIL, OTHER

I hereby certify that on **May 20, 2024** I caused to be served a true and correct copy of the foregoing Motion to Modify Plan Pre-Confirmation as follows:

Mail Service - By regular first class United States mail, postage fully pre-paid, addressed to:
-NONE-

Mail Service to Entire Matrix – By regular first class United States mail, postage fully pre-paid, addressed to all parties who did not receive electronic service as set forth herein listed on the Official Court Mailing Matrix dated May 20, 2024 attached hereto.
-NONE-

_____/s/

Bella Washburn

Paralegal